

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2003 JAN 15 P 1:48

CLERK'S OFFICE
AT BALTIMORE
J. Snowden Stanley, Principal
Direct Dial 410-539-4511
Email: jstaqley@mail.semmes.com
DEPUTY

SEMMES, BOWEN & SEMMES
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201

TELEPHONE 410-539-5040
FACSIMILE 410-539-5223
WWW.SEMMES.COM

OFFICES IN
WASHINGTON, D.C.
HAGERSTOWN, MARYLAND
SALISBURY, MARYLAND
MCLEAN, VIRGINIA

January 10, 2003

Via Hand Delivery

The Honorable Marvin J. Garbis
United States District Court
for the District of Maryland
101 West Lombard Street
Room 530
Baltimore, Maryland 21201

Re: ***David M. Eisenstadt v. UNUM Life Insurance Co.***
Case No. MJG-02-2199

Dear Judge Garbis:

We are writing to request a modification of your August 26, 2002 Scheduling Order. We specifically request that you refer this case to a United States Magistrate Judge for mediation/ settlement conference and defer the deadline for filing dispositive motions until 45 days after the end of the mediation conference in the event that it should prove unsuccessful.

Counsel have had extended settlement discussions in this case exchanging much information in the process and narrowing the issues. However, we have not as yet been able to reach conclusion of those efforts and need the help of a mediator. This process has been greatly complicated by the fact that the principal counsel for the Plaintiff, who is intimately familiar with this file, was stricken with a serious illness rather recently.

We believe that both parties are seriously intent on attempting to resolve this matter, and we would very much appreciate your extending the dispositive motion deadline in your Scheduling Order and referring this matter to a United States Magistrate Judge to conduct mediation as soon as possible.

jan

10/14

SEMMES, BOWEN & SEMMES
A PROFESSIONAL CORPORATION

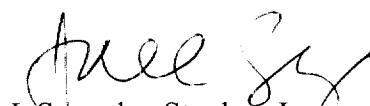
The Honorable Marvin J. Garbis
January 10, 2003
Page 2

Thank you very kindly.

Very truly yours,



C. Paul Champion
Attorney for Plaintiff



J. Snowden Stanley, Jr.
Attorney for Defendant

JSS/CPC/cmw
cc: C. Paul Champion, Esq. (via fax 1-301-627-6685)
(B0313365.WPD;1)

January 15 day of January 2003

Marvin J. Garbis
United States District Judge